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ALLIANCE

of Approved Private Schools

Promoting excellence in special education services for children and youth with disabilities and their families

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- Melmark School
- Pace School
- Pressley Ridge School
- Royer-Greaves School for Blind
- The Day School at The Children's Institute
- The Pathway School
- The Vista School
- The Watson Institute
- Valley Day School
- Wesley Spectrum Highland School
- Woods Services
- Wordsworth Academy

To: Mr. James Buckheit, Executive Director
Pennsylvania State Board of Education

From: Thomas W. Fogarty, M.Ed. *TWF*
President of the Alliance of Approved Private Schools

Geoffrey Axe, M.Ed.
Executive Director of Valley Day School

Re: Proposed Changes to Chapter 49-2 Certification of Professional Personnel
Final Form- May 2007

Date: August 9, 2007

I am writing on behalf of the Alliance of Approved Private Schools. The Alliance represents 26 of the Commonwealth's 30 approved private schools. The approved private schools provide highly specialized education and related services to 3,000 of the Commonwealth's students with severe and complex disabilities. Please refer to Appendix A for information on the Alliance of Approved Private Schools and its members.

The thirty (30) approved schools employs over 350 teachers who are certificated in special education and an additional 100 teachers who hold other types of PA teaching certifications.

The Alliance is **extremely concerned** and **strongly opposes** three of the proposed revisions to *Chapter 49-2 Certification of Professional Personnel* that is currently being set-forth for approval by the Pennsylvania State Board of Education. We object to the following sections for the reasons noted and propose the following revisions:

I. The words "and in other settings" should be added to the present wording "in inclusive settings" (defined as a regular classroom setting) in the following areas: Sections 49.13 Policies, 49-14 (4) (ii) Approval of Institutions, 49.16 (d) Approval of Induction Plans, and 49.17 (7) Continuing professional education without adding the wording --- "and in other settings" gives the impression of that all students who are "diverse learners" can only be provide for in "inclusive setting or regular classroom settings. If this is the intent of these proposed regulations, the words "in inclusive settings" is both discriminatory and not in the best interest of those students who are assigned by their IEP team to an appropriate program that can only be delivered in educational settings outside of the regular classroom.

Reason:

The Individuals with Disabilities Act (IDEA) the federal law regarding the provision of special education requires all states to provide a continuum of education placements for students with disabilities, not just placements in "inclusive settings."

Setting must range from the general education program in students' local school to special placements outside of the school district. Placement depends upon what the IEP team defines as an appropriate program. The current wording in this section is misleading and must be expanded. It is evident from IDEA that not all children can be educated appropriately in inclusive settings.

The State Board must take into account that not all diverse learners are served in "inclusive settings." Students with disabilities must be placed in appropriate settings (whether in the regular education facility or in one of the many types of special education facilities) that are based on student needs and must be addressed in the education plan and cannot be based on lack of resources, facilities, staff or for administrative convenience.

Recommended edits:

49.13. Policies.

(4)

(i) ACCOMMODATIONS AND ADAPTATIONS FOR DIVERSE LEARNERS IN INCLUSIVE AND OTHER TYPES OF SETTINGS. [This phrase should be inserted in two areas in this paragraph.]

49.14. Approval of instructions.

ADDITION OF WORDING (UNDERLINED)

(4)

(ii)AND DEVELOPMENT AND IMPLEMENTATIONS OF LESSON PLANS WITH ACCOMMODATIONS AND ADAPTATIONS FOR DIVERSE LEARNERS IN AN INCLUSIVE AND OTHER TYPES OF SETTINGS.

49.16. Approval of induction plans.

(d)INCLUDE INDUCTION ACTIVITIES THAT FOCUSES ON TEACHING DIVERSE LEARNERS IN INCLUSIVE AND OTHER TYPES OF SETTINGS.

49.17. Continuing professional education.

(7) IN CONTINUING EDUCATION FOCUSED ON TEACHING DIVERSE LEARNERS IN INCLUSIVE AND OTHER TYPES OF SETTINGS.

II. Revise section 49.85 Limitations. [Subchapter B. Certification of Graduates From Commonwealth Institutions- Instructional Certificates]

The Alliance wants the proposed timeframe for obtaining special education certification to be changed to match the timeframe (typically a 4-year college or university curriculum) that is being proposed for candidates who are seeking certification in early childhood, elementary/middle school, and/or secondary education Bachelor degrees.

Currently the State Board proposes that candidates who are seeking special education certification must also obtain additional certification in one or more additional areas. If this propose change is permitted to occur, the timeframe for a candidate to obtain special education certification would go well beyond the typical 4-year timeframe that is being required of other candidates who are seeking other types of teaching certifications. The Commonwealth would suffer further shortages in the supply of certified special education teachers.

The current proposed certification processes for obtaining a special education degree would require additional certification in one of the following areas:

For Special Education PK-8

- i) Early childhood
- ii) Elementary/Middle
- iii) Reading Specialist

For Special Education 7-12

- i) Secondary
- ii) Reading Specialist

The Alliance viciously opposes the proposed Section 49.85 as it currently stands because candidates for special education certificate cannot accomplish earning one of the above additional certificates within the typical 4 year timeframe of college or university study.

While we strongly agree with the concept of the State Board that all Special Education teachers should become "highly qualified", we know that this can be accomplished within the typical 4-year teacher preparation timeframe. We also know that high quality college and university special education preparation programs can accomplish this by adapting their current the courses of studies.

The Commonwealth does not have to choose this particular method set forth in this current proposal since there are alternative methods for demonstrating to the federal government that newly graduated special education teachers are highly qualified. Both federal laws, No Child Left Behind and the Individuals with Education Act, as amended do not mandate a single "lock-step" method for achieving highly qualified status.

Reason:

This added requirement as currently set forth will greatly discourage college students who are interested in teaching students with special needs from becoming special education teachers. The timeline for becoming a special education does not follow the time-line (usually 4 years) for becoming a certified "general education teacher." The State Board proposes that a potential special education teacher must take an additional year of courses in one of three areas: early education, elementary/middle, or reading specialist to be certified. However, a potential early childhood, elementary/middle school, or secondary teacher only needs 4 years of course work which includes 9 credits of course work in teaching students with disabilities and 3 credits in dealing with the needs of English language learners.

In 2004-2005, the average four-year public institution charged \$14,640 for tuition, fees, room, and board, according to the College Board's *2004 Trends in College Pricing*. Given the average salary of a new special education teacher, it is highly likely that Pennsylvania will see a dramatic decrease in special education teachers if these regulations are approved as currently drafted in final form. The cost of another year of undergraduate education will deter students from obtaining a special education certification.

The Alliance of Approved Private Schools believes that the State Board of Education's argument centers around the publicly expressed premise that a special education teacher is not "highly qualified" without exposure to content area method courses such as teaching reading, language arts, mathematics, social studies and history. However, the Board's actions are not equitably applied to new teachers who are not seeking special education certification. Furthermore, there is no federal requirement for this additional year of education for certification of special education teachers, so we strongly urge the State Board of Education to reconsider this requirement of special education teachers. It will have a devastating affect on the future education of children with special needs in Pennsylvania.

If the current language is permitted to stand, the Commonwealth will face an even greater shortage of certified special education teachers. Many potential special education teachers would find it easier and less costly to obtain content area certification and complete just nine (9) more credits of unspecified special education course work and be able to teach students who require special education services.

Recommendation:

A logical and prudent manner in which to solve this problem would be for each PA college and/or university approved to grant special education certification to adapt their current 4-year curriculum to include what would be defined as the necessary method courses and remove courses that are no longer relevant (i.e., those courses that do not promote currently mandated and/or best practices. Following this path would reduce the cost of an additional year of schooling (\$7,000 to \$15,000) for each potential special education teacher while at the same time increasing the candidates teaching proficiency and necessary skill sets.

An alternative to the suggestion described above and to ensure equity would be to use the same 9 credits required for candidates seeking childhood, elementary/middle school, or secondary teacher certification.

Recommended edits:

Subchapter B. CERTIFICATION OF GRADUATES FROM COMMONWEALTH INSTITUTIONS
INSTRUCTIONAL CERTIFICATES

§ 49.85. LIMITATIONS.

SPECIAL EDUCATION-PK-8 – PREKINDERGARTEN THROUGH GRADE EIGHT (AGES 3 THROUGH 14). APPLICANTS FOR THIS CERTIFICATE MUST ALSO OBTAIN **AT LEAST 9 CREDITS OR 270 HOURS*** ~~CERTIFICATION IN ONE OF~~ **IN THE FOLLOWING CONTENT AREAS CERTIFICATES:**

- ~~i) EARLY CHILDHOOD IN ACCORDANCE WITH (B)(1).~~
- ~~ii) ELEMENTARY/MIDDLE IN ACCORDANCE WITH (B)(2).~~
- ~~iii) READING SPECIALIST IN ACCORDANCE WITH (B)(4).~~

I) LANGUAGE ARTS/READING INSTRUCTION

II) MATHEMATICS/SCIENCE INSTRUCTION

III) SOCIAL STUDIES/HISTORY INSTRUCTION

* These 9 credits or 270 hours must be part of the core course work in all special education certificate programs. These courses must be structured in such a manner that it is possible that the special education candidate is able to complete the 9 credit courses with the traditional 4 year time period.

(6) SPECIAL EDUCATION-7-12 – GRADES SEVEN THROUGH TWELVE (AGES 11 THROUGH 21). APPLICANTS FOR THIS CERTIFICATE MUST ALSO OBTAIN **AT LEAST 9 CREDITS OR 270 HOURS*** ~~CERTIFICATION IN ONE OF~~ **IN THE FOLLOWING CONTENT AREAS CERTIFICATES:**

~~I) SECONDARY IN ACCORDANCE WITH (B)(3).~~

~~II) READING SPECIALIST IN ACCORDANCE WITH (B)(4).~~

I) LANGUAGE ARTS/READING INSTRUCTION

II) MATHEMATICS INSTRUCTION

III) SOCIAL STUDIES/HISTORY INSTRUCTION

- These 9 credits or 270 hours must be part of the core course work in all special education certificate programs. These courses must be structured in such a manner that it is possible that the special education candidate is able to complete the 9 credit courses with the traditional 4 year time period.

III. 49.85 Special Limitations. (7) Special Education Hearing Impaired, Visually Impaired and Speech/Language Impaired Certificates.

There is no statement that individuals seeking these types of certificates would have to take the additional course work that is now being required of a potential special education teacher. What is the rationale for not requiring this? Parity should be applied.

Thank you for your attention.

If you have any questions on our suggested revisions or comments, please contact Kara Beem of Capital Associates, the Alliance's public affairs consultants, at (717) 257-2539 or at beem@capitalassoc.com.

cc: Members of the House Education Committee
Members of the Senate Education Committee
IRRC

Appendix A

Background Information on the Alliance of Approved Private Schools

Approved private schools (APS) provide highly specialized special education programming and related services to approximately 3,600 school-age students with severe and complex disorders. APS are not-for-profit schools which are licensed by the State Board of Academic Schools and approved by the Pennsylvania Department of Education's, Bureau of Special Education to service students who are referred by their local education agency after the student's IEP team determines that the student's educational needs are not being satisfactorily met in a public school program.

The Alliance's mission is to promote excellence in special education services for children and youth with disabilities and their families, and to advocate for their access to the continuum of appropriate education placements and services.

Students who attend APS demonstrate severe and complex ranges of disabilities.

The majority of children and youth served by the APS are referred by the local school districts and/or parents. For an APS placement to be a student's least restrictive environment, both of these parties must be in agreement with the placement, and the student's Individual Education Program (IEP) must necessitate a level of service available only in an APS. Approval for tuition assistance can only be granted by the Pennsylvania Department of Education's Bureau of Special Education.